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FROMMER LAWRENCE & HAUG LLP

745 Fifth Avenue New York, New York 10151 Telephone: (212) 588-0800 Facsimile: (212) 588-0500 E-mail: Firm@flhlaw.com

FACSIMILE COVER LETTER

To:

Commissioner for Patents

Examiner Yenke, Brian P.

Firm:

U.S. Patent and Trademark Office

Art Unit 2614

Facsimile:

(571) 273-8300

From:

Thomas F. Presson

Date:

May 24, 2006

Re:

FLH Ref No.: 450100-03743

Serial No:

10/085,659

Number of Pages:

20

(including cover page)

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PATENT 450100-03743

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants : Tomobire Nishi, et al. MAY 2 4 20 Serial No. : 10/085.6599 For : OPTICAL STATE MODULATION METHOD AND SYSTEM, AND OPTICAL STATE MODULATION METHOD AND SYSTEM, AND OPTICAL STATE MODULATION APPARATUS Examiner : Yenke, Brian P. Art Unit : 2614 Commissioner for Patents								THE PART OF IA
Serial No. 10/083-039	Applicants	:	Tomohiro Nishi,	et al.	•			MAY 2 4 2006
For OPTICAL STATE MODULATION METHOD AND SYSTEM, AND OPTICAL STATE MODULATION APPARATUS Examiner Yenke, Brian P. Art Unit : 2614 745 Fifth Avenue New York, NY 10151 Tel: 212-588-0800 Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Dear Sir: Transmixed herewith is an amendment in the above-identified application. No additional fee is required. The fee has been calculated as shown below. This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply. Claims as Amended (1) Claims remaining after amendment in the above-identified application. Claims as Amended (1) Claims as Amended (2) (3) (4) (4) (5) (6) (Additional Present extra Additional Present extra Ad	Serial No.	:	10/085.659					1971 2 1 200U
OPTICAL STATE MODULATION APPARATUS Examiner	Filed	:	•					
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Transmitted herewith is an amendment in the above-identified application. No additional fee is required. The fee has been calculated as shown below. This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply. Claims as Amended (1) (2) (3) (4) (5) (6) (7) (6) Additional number previously paid for states and previously paid for states than 20 write "20" in this space. If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5. If the highest number of total claims previously paid for is less than 3, write "3" in this space. This application contains a multiple dependent claim. The required fee of \$360(180) has been previously paid herewith This response is being filed within the month following the expiration of the term originally set therefor. This is a petition to request a month extension of time. A check covering the cost of the petition is enclosed. A check in the amount of \$\frac{1}{2}\$ is attached, which covers the cost of Terminal Disclaimer perition for extension of time. Charge \$\frac{1}{2}\$ to Deposit Account No. 50-0320. Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320. Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320. Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320. Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320. Please charge any additional fees incurred by reason of this response or credit any overpa	P.O. Box 1450							
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Charge S to Deposit Account No. 50-0320. Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320. Respectfully submitted, CERTIFICATE OF FACSIMILE I hereby certify that this correspondence is being transmitted via facsimile to (571) 273-8200 on May 24, 2006. Barnet Shindlman	** If the highest numb *** If the highest numb This application conherewith	per of total cliper of indeper on tains a mult	aims previously pandent claims previously pandent claims previously pandent claims the province	id for is less ously paid fi im. The rec	s than 20, write ' or is less than 3, uived fee of \$36	"20" in this space write "3" in this 0(180) has been p of the term origin	space. previously paid nally set therefo	
Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320. Respectfully submitted, CERTIFICATE OF FACSIMILE 1 hereby certify that this correspondence is being transmitted via facsimile to (571) 273-8300 on May 24, 2006. Barnet Shindlman Barnet Shindlman	A check in the ame	ount of S	is attached, w	hich covers	the cost of T	erminal Disclain	nerperi	tion for
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facsimile to (571) 273-8200 on May 24, 2006. Barnet Shindlman Barnet Shindlman	CERTU	CATE OF F	ACSIMILE		vesheeman)	y paparator,		
	facsimile to (571) 273-830	0 on May 24,	2006.	via			& HAUG LLP	
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Signature
May 24, 2006
Date of Signature

Thomas F. Presson Reg. No. 41,442 Tel: 212-588-0800 U.S. Patent Application No. 10/085,659 Reply to Final Office Action dated March 7, 2006 PATENT 450100-03743

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants

Tomohiro Nishi, et al.

MAY 2 4 2006

Serial No.

10/085,659

Filed

February 26, 2002

For

OPTICAL STATE MODULATION METHOD AND

SYSTEM, AND OPTICAL STATE MODULATION

APPARATUS

Examiner

Yenke, Brian P.

Art Unit

2614

Confirmation No.

8660

745 Fifth Avenue New York, NY 10151 Tel. (212) 588-0800

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted via facsimile to (571) 273-8300 on May 24, 2006.

Barnet Shindlman
Name of person signing transmittal)

Signature

May 24, 2006

Date of Signature

RESPONSE UNDER 37 C.F.R. § 1.116

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action mailed on March 7, 2006, having a three-month statutory period for response set to expire on June 7, 2006, please consider the following remarks.

U.S. Patent Application No. 10/085,659 Reply to Final Office Action dated March 7, 2006 PATENT 450100-03743

Listing of the Claims begins on page 3 of this paper.

Remarks/Arguments begin on page 15 of this paper.

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